

| Lead Defendant | NEPA Cases filed in 2001 | |
|---------------------------------|--------------------------|---------------------------|
| | Cases Filed | Injunctions in 2001 cases |
| Department of Agriculture | 42 | 5 |
| Department of the Air Force | 2 | 0 |
| Department of Army | 8 | 0 |
| Department of Commerce | 8 | 0 |
| Department of Energy | 2 | 0 |
| Department of the Interior | 46 | 0 |
| Department of the Navy | 2 | 0 |
| Department of Transportation | 23 | 1 |
| Environmental Protection Agency | 4 | 0 |
| Total | 137 | 6 |

| 2001 NEPA Case Dispositions | | | | |
|-----------------------------|----------|------|--|-----|
| | pre-2001 | 2001 | | All |
| Judgment for defendant | 41 | 20 | | 66 |
| TRO | 2 | 3 | | 5 |
| Preliminary injunction | 4 | 5 | | 6 |
| Permanent injunction | 7 | 0 | | 9 |
| Remand | 8 | 8 | | 18 |
| Dismissal w/ settlement | 16 | 8 | | 24 |
| Dismissal w/o settlement | 23 | 23 | | 41 |
| Other action | 9 | 4 | | 15 |
| | | | | |
| Pending | | | | 135 |
| | | | | |

| Plaintiffs in NEPA Lawsuits | |
|-----------------------------|-----|
| Public Interest groups | 175 |
| Individual/Citizen assoc. | 95 |
| State government | 11 |
| Local government | 37 |
| Business groups | 52 |
| Property owners/residents | 15 |
| Indian tribes | 11 |
| Combination plaintiffs* | 63 |

* i.e. local government AND individuals;
if a plaintiff type was in a combination with
other plaintiff types, it was counted in the
individual as well as the
combination category

| Basis for NEPA Dispositions | | | | |
|-----------------------------|----------|------|--|-----|
| | pre-2001 | 2001 | | ALL |
| Jurisdictional issues | 18 | 17 | | 35 |
| Settlements/other | 23 | 17 | | 40 |
| Federal action req. NEPA | 3 | 2 | | 5 |
| EIS Adequacy | 27 | 11 | | 38 |
| EA/FONSI Adequacy | 19 | 13 | | 32 |
| SEIS | 5 | 1 | | 6 |
| Categorical Exclusion | 4 | 2 | | 6 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| |
|--|
| more detailed data available - see tables to right, highlighted this color orange |
| Other reasons may include: |
| 1. Not enough data from agency to determine disposition basis |
| 2. Overruling District Court, which had abused its discretion |
| |
| TOTAL = all above categories except combo (to prevent double counting) [total bases for disposition should at least be as much as total judgments; bases may be larger than total judgments b/c may be more than one basis for a judgment] |

| Federal action requiring NEPA | |
|-------------------------------|---|
| action not federal | 5 |
| NEPA required | 0 |

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| | |
| | |

| SEIS | |
|------------------------------------|---|
| need to prepare -new effects info | 1 |
| need to prepare - change in action | 1 |
| no need to prepare | 4 |

| EIS Adequacy | |
|-------------------------------|----|
| adequate | 25 |
| incomplete, essential info | 5 |
| inadequate indirect effects | 2 |
| inadequate cumulative effects | 8 |
| alternatives: no action | 2 |
| alt. excluded/range | 1 |
| other | 5 |

| EA/FONSI Adequacy | |
|-------------------------------|----|
| adequate | 17 |
| incomplete, essential info | 7 |
| inadequate indirect effects | 1 |
| inadequate cumulative effects | 3 |
| alternatives not considered | 4 |